

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A positive electrode material for non-aqueous electrolyte lithium ion battery, comprising:
  - an oxide containing lithium and nickel; and
  - a lithium compound deposited on a surface of the oxide, ~~the lithium compound covering nickel present on the surface of the oxide,~~  
wherein the lithium compound is lithium sulfate  
~~the lithium compound comprising at least one selected from the group consisting of, lithium phosphorus oxynitride (LiPON), Li<sub>2</sub>O-B<sub>2</sub>O<sub>3</sub> compound, Li<sub>2</sub>O-B<sub>2</sub>O<sub>3</sub>-LiI compound, Li<sub>2</sub>O-SiS<sub>2</sub> compound, Li<sub>2</sub>S-SiS<sub>2</sub>-Li<sub>3</sub>PO<sub>4</sub> compound, lithium hydroxide, lithium acetate, lithium acetylid e-ethylenediamine complex, lithium benzoate, lithium carbonate, lithium fluoride, lithium oxalate, lithium pyruvate, lithium stearate, lithium tartrate, lithium bromide, lithium iodide, Li<sub>2</sub>S-SiS<sub>2</sub>, lithium sulfate;~~  
~~whereby the lithium compound prevents oxygen radicals being released from the surface of the oxide from decomposing an electrolysis solution; and~~  
~~whereby gas generation by the decomposition of the electrolysis solution is suppressed.~~
  - 2. (Currently Amended) A positive electrode material according to claim 1, wherein, ~~when~~ wherein the lithium compound is deposited to cover substantially an entire surface of the oxide, and a thickness of a cover layer of the lithium compound ranges from 5 nm to 1  $\mu$ m.
  - 3. (Currently Amended) A positive electrode material according to claim 1, ~~when~~ wherein the lithium compound is deposited to sprinkle on the surface of the oxide, and a volume of the lithium compound ranges from 0.5 to 10 % with respect to that a volume of the positive electrode active material.

4-5. (Canceled)

6. (Previously Presented) A non-aqueous electrolyte lithium ion battery, comprising:  
a positive electrode active material layer comprising a positive electrode material  
according to claim 1;  
a negative electrode active material layer comprising a negative electrode active  
material; and  
an electrolyte layer disposed between the positive and negative electrode active  
materials layers.

7-12. (Cancelled)